

109TH CONGRESS  
1ST SESSION

# H. R. 3761

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## AN ACT

To provide special rules for disaster relief employment under the Workforce Investment Act of 1998 for individuals displaced by Hurricane Katrina.

1       *Be it enacted by the Senate and House of Representa-*  
2   *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2       This Act may be cited as the “Flexibility for Dis-  
3 placed Workers Act”.

4 **SEC. 2. SPECIAL RULES FOR NATIONAL EMERGENCY**  
5 **GRANTS RELATED TO HURRICANE KATRINA.**

6       (a) **USE OF GRANTS FOR PROJECTS OUTSIDE DIS-**  
7 **ASTER AREA.**—Funds provided to States that submit ap-  
8 plications for assistance described in section 173(a)(2) of  
9 the Workforce Investment Act of 1998 (29 U.S.C.  
10 2918(a)(2)) to address the effects of Hurricane Katrina  
11 may be used to provide disaster relief employment and  
12 other assistance under section 173(d)(1) of such Act (29  
13 U.S.C. 2918(d)(1)) on projects that provide assistance in  
14 areas outside of the disaster area (as such term is defined  
15 in section 173(a)(2) of such Act).

16       (b) **EXPANDED ELIGIBILITY FOR DISASTER RELIEF**  
17 **EMPLOYMENT.**—Funds provided to States that submit ap-  
18 plications for assistance described under section 173(a)(2)  
19 of the Workforce Investment Act of 1998 (29 U.S.C.  
20 2918(a)(2)) to address the effects of Hurricane Katrina  
21 may be used to provide disaster relief employment and  
22 other assistance under section 173(d)(1) of such Act, or  
23 public sector employment authorized under subsection (c)  
24 of this Act, to individuals affected by Hurricane Katrina,  
25 including those who have relocated from States in which  
26 a major disaster was declared under section 102 of the

1 Robert T. Stafford Disaster Relief and Emergency Assist-  
2 ance Act (42 U.S.C. 5122) due to the effects of Hurricane  
3 Katrina, who were unemployed at the time of the disaster  
4 or who are without employment history, in addition to in-  
5 dividuals who are eligible for such employment under sec-  
6 tion 173(d)(2) of Workforce Investment Act of 1998.

7 (c) AUTHORIZATION FOR GENERAL PUBLIC SECTOR  
8 EMPLOYMENT.—Funds provided to States that submit ap-  
9 plications for assistance described in section 173(a)(2) of  
10 the Workforce Investment Act of 1998 to address the ef-  
11 fects of Hurricane Katrina may be used to provide to eligi-  
12 ble individuals temporary employment by public sector en-  
13 tities for a period not to exceed 6 months in addition to  
14 disaster relief employment described in section 173(d)(1)  
15 of such Act.

16 (d) EXTENSION OF THE DURATION OF DISASTER  
17 RELIEF EMPLOYMENT.—The Secretary of Labor may ex-  
18 tend the 6-month maximum duration of employment  
19 under this Act and under section 173(d) of the Workforce  
20 Investment Act of 1998 (29 U.S.C. 2918(d)) for not more  
21 than an additional 6 months due to extraordinary cir-  
22 cumstances.

23 (e) PRIORITY FOR DISASTER RELIEF EMPLOYMENT  
24 FUNDS.—In awarding national emergency grants to  
25 States under section 173(a)(2) of the Workforce Invest-

1 ment Act of 1998 (29 U.S.C. 2918(a)(2)) to address the  
2 effects of Hurricane Katrina by providing disaster relief  
3 employment, the Secretary of Labor shall—

4 (1) first, give priority to States in which areas  
5 that have suffered major disasters (as defined in sec-  
6 tion 102 of the Robert T. Stafford Disaster Relief  
7 and Emergency Assistance Act (42 U.S.C. 5122))  
8 are located; and

9 (2) second, give priority to the remaining States  
10 that have been most heavily impacted by the demand  
11 for services by workers affected by Hurricane  
12 Katrina.

13 (f) ELIGIBILITY FOR NEEDS-RELATED PAYMENTS.—  
14 Funds provided to States that submit applications for as-  
15 sistance described in section 173(a)(2) of the Workforce  
16 Investment Act of 1998 (29 U.S.C. 2918(a)(2)) to address  
17 the effects of Hurricane Katrina may be used to provide  
18 needs-related payments (described in section 134(e)(3) of  
19 such Act (29 U.S.C. 2864(e)(3))) to individuals described  
20 in subsection (b) who do not qualify for (or have ceased  
21 to qualify for) unemployment compensation, and who are  
22 not employed on a project described under section 173(d)  
23 of such Act, for the purpose of enabling such individuals  
24 to participate in activities described in paragraphs (2),  
25 (3), or (4) of section 134(d) of such Act.

1       (g) USE OF AVAILABLE FUNDS.—With the approval  
2 of the Secretary of Labor, any State may use funds that  
3 remain available for expenditure under any grants award-  
4 ed to the State under section 173 of the Workforce Invest-  
5 ment Act of 1998 (29 U.S.C. 2918) or under this section,  
6 to provide any assistance authorized under such section  
7 173 or this section, or personal protective equipment not  
8 otherwise available through public funds or private con-  
9 tributions, to assist workers affected by Hurricane  
10 Katrina, including workers who have relocated from areas  
11 for which an emergency or major disaster (as defined in  
12 section 102 of the Robert T. Stafford Disaster Relief and  
13 Emergency Assistance Act (42 U.S.C. 5122)) was de-  
14 clared, due to the effects of Hurricane Katrina.

15       (h) EXPANDED ELIGIBILITY FOR EMPLOYMENT AND  
16 TRAINING ACTIVITIES.—

17           (1) IN GENERAL.—In awarding national emer-  
18 gency grants under section 173(a)(1) of the Work-  
19 force Investment Act of 1998 (29 U.S.C.  
20 2918(a)(1)), the Secretary may award such a grant  
21 to an entity to provide employment and training as-  
22 sistance available under section 173(a)(1) of such  
23 Act to workers affected by Hurricane Katrina, in-  
24 cluding workers who have relocated from areas for  
25 which an emergency or major disaster (as defined in

1       section 102 of the Robert T. Stafford Disaster Relief  
2       and Emergency Assistance Act (42 U.S.C. 5122))  
3       was declared, due to the effects of Hurricane  
4       Katrina.

5           (2) ELIGIBLE ENTITY.—In this subsection, the  
6       term “entity” means a State, a local board (as de-  
7       fined in section 101 of the Workforce Investment  
8       Act of 1998 (29 U.S.C. 2801)), or an entity de-  
9       scribed in section 166(c) of such Act (29 U.S.C.  
10      2911(c)), that submits an application for assistance  
11      described in section 173(a)(1) of the Workforce In-  
12      vestment Act of 1998 to address the effects of Hur-  
13      ricane Katrina.

14   **SEC. 3. SENSE OF CONGRESS.**

15       (a) MOBILE ONE-STOP CENTERS.—It is the sense of  
16   Congress that States that operate mobile one-stop centers,  
17   established as part of one-stop delivery systems authorized  
18   under subtitle B of title I of the Workforce Investment  
19   Act of 1998 (29 U.S.C. 2811 et seq.) should, where pos-  
20   sible, make such centers available for use in the areas af-  
21   fected by Hurricane Katrina, and areas where large num-  
22   bers of workers affected by Hurricane Katrina have been  
23   relocated.

24       (b) EXPANDED OPERATIONAL HOURS.—It is the  
25   sense of Congress that one-stop operators (as such term

1 is defined in section 101 of the Workforce Investment Act  
2 of 1998 (29 U.S.C. 2801) should increase access for work-  
3 ers affected by Hurricane Katrina to the one-stop delivery  
4 systems authorized under subtitle B of title I of such Act,  
5 including through the implementation of expanded oper-  
6 ational hours at one-stop centers and on-site services for  
7 individuals in temporary housing locations.

Passed the House of Representatives September 20,  
2005.

Attest:

*Clerk.*

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